

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA
OFFICE OF THE CLERK

RECEIVED
ASHEVILLE, N.C.

RICHARD H. WEARE
DISTRICT COURT EXECUTIVE / CLERK OF COURT
SANDRA DAY O'CONNOR U.S. COURTHOUSE
401 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85003

RONNIE HONEY
CHIEF DEPUTY CLERK
SANDRA DAY O'CONNOR U.S. COURTHOUSE
401 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85003

AUG 18 2005

Clerk, U. S. Dist. Court
W. Dist of N. C.
MICHAEL S. O'BRIEN
CHIEF DEPUTY CLERK
EVO A. DECONCINI U.S. COURTHOUSE
405 W. CONGRESS STREET
TUCSON, ARIZONA 85701

RECEIVED
CHIEF DEPUTY CLERK
N.C.

AUGUST 10, 2005 AUG 18 2005

Clerk, U. S. Dist. Court
W. Dist. of N. C.

Mr. Frank G. Johns
Clerk
United States District Court
210 Charles R. Jonas Federal Bldg
401 West Trade Street
Charlotte, NC 28202

Re: USA vs ARMIDA ARROYOS-ARAGON
Our Magistrate Case No. 05-5136M
Your Case No. 1:05CR209-1

Dear Mr. Johns:

In connection with the above-entitled Removal Proceedings,
enclosed herewith are the following:

- (1) Copy of Warrant for Arrest
- (2) Certified Copies of M/E of 06/23/05
- (3) Certified Copies of Waiver of Rule 40
- (4) -----
- (5) Certified Copy of Docket Sheet

Please acknowledge receipt of same on the copy of this letter and
return to the TUCSON office for filing.

RICHARD H. WEARE, CLERK

By: Johnnie-Kaye Montgomery
Deputy Clerk

cc: US Attorney, North Carolina
US Attorney, Tucson
Ed Nesbitt
File

The staff of the Clerk's Office ensures the effective, efficient and professional delivery of clerical and administrative services, while fostering a customer-friendly and employee-friendly environment.

U.S. DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION

PERSONAL HISTORY REPORT

1. File Title 1 USC 846 CONSPIRACY COCAINE TFI		2. File Number MD-04-0046		3. Program Code	
4. Group No.		5. G-DEP ID		6. Date Prepared	
7. PURPOSE OF SUBMISSION: <input type="checkbox"/> G-DEP DESCRIPTION <input type="checkbox"/> ARREST <input type="checkbox"/> FUGITIVE DECLARATION <input type="checkbox"/> FUGITIVE CANCELLATION					
8. Subject Name (Last, First, Middle) ARROYOS-ARAGON, ARMIDA		8a. Arrest No.		9. Qualitative Characterization	
11a. Alias Name ARMIDA ARROYOS-HERNANDEZ		11b. Priority Target <input type="checkbox"/> YES <input type="checkbox"/> NO		10. Date of Birth (MM-DD-YYYY) 3-15-52	
12. Alternate Date of Birth 3-15-57		16. Misc. Numbers (e.g., TECS; DRUG-X; Registrant; CSS No., etc.)			
13. NADDIS No.		14. FBI No.		15. Social Security No. 600-17-1537	
17. Place of Birth (City, State/Country) CHIHUAHUA, MEXICO		18. Citizenship (Country) US		19. Alien Status <input type="checkbox"/> Illegal <input type="checkbox"/> Legal (Alien Registration No.)	
20. Race <input type="checkbox"/> Black <input type="checkbox"/> Asian-Pacific Islander <input checked="" type="checkbox"/> White <input type="checkbox"/> Native American <input type="checkbox"/> Unknown		21. Ethnicity <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown		22. Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
23. Color Hair Red		24. Height 5' 8"		25. Color Eyes BRN	
26. Weight 180 lbs.		28. Identifying Characteristics (Scars, tattoos, marks, physical defects, etc.) SCAR LEFT SHOULDER			
27. Address (No., Street, Unit, City, State/Country, Zip Code) 2442 S. EDMONDSON TUCSON, AZ 85713					
29. Telephone Number (Include Area Code) 520-663-1634					
30. Occupation HERBALIFE SUPERVISOR		31. Employer Name and Address SELF EMPLOYED			
32. Employer Telephone Number (Include Area Code) 520-271-2943					
33. Passport No.		34. Issue Date		35. Issuing Country	
36. Expiration Date		37. Name on Passport			
38. Driver's License No.		39. Issuing State/Country		40. Expiration Date	
41. Name on License ARMIDA ARAGON ARROYOS					
42a. FAMILY INFORMATION (Last, First, Middle Name)					
b. Age c. Address (No. Street, Unit, City, State/Country) & Phone No.					
Father REYNALDO ARROYOS DECEASED					
Mother LUZ ARAGON 11					
<input type="checkbox"/> Spouse <input type="checkbox"/> Companion <input type="checkbox"/> Paramour					
Children					
RAFAEL FERNANDEZ-ARROYOS 29 2442 S. EDMONDSON TSN/AZ					
PHILIP CORTIZ 21 MEXICO / UNKNOWN					
SAMANHA DUARTE ARROYOS 16 2442 S. EDMONDSON TSN/AZ					
(Relationship)					
Other Relatives					
43a. Source of Supply (Name)		44a. Criminal Associates (Use Remarks Section to Add Other Names)		44b. NADDIS Nos.	
43b. NADDIS No.					

I. G-DEP DESCRIPTION (Complete for all G-DEP and Arrest Submissions.) Agents Manual 622

45. Submission: <input type="checkbox"/> Initial <input type="checkbox"/> Supplemental		46. Subject's Principal Controlled Substance / Commodity Use Letter-Number Code: (See Agents Manual)	
---	--	--	--

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - TUCSON

DATE: 6/23/2005 CASE NUMBER: 05-05136M

USA vs. ARMIDA ARRAGON ARROYOS

U.S. MAGISTRATE JUDGE: MAGISTRATE CHARLES R. PYLE Judge #: 70BM

U.S. Attorney Cynthia Wood INTERPRETER REQ'D. N/A

MAGISTRATE JUDGE'S MINUTES	
FILED	LODGED
RECEIVED	COPY
JUL - 4 2005	
CLERK, U.S. DISTRICT COURT DISTRICT OF ARIZONA	
S. DEPUTY	

Attorney for Defendant Edward Nesbitt (Retained)

INITIAL APP: ☐ HELD DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

☐ Complaint Filed ☐ DOA _____

☐ Warrant Other District

☐ Financial Afdvt taken

☐ Warrant Phx Div.

☐ No Financial Afdvt taken

☐ Counsel waives reading of the Complaint/Indictment

☐ Defendant states true name to be _____.
Further proceedings Ordered in defendant's true name.

☐ Government's motion for detention and request for a continuance of the Detention Hearing pursuant to §3142(e) & (f)
is ☐ Granted ☐ Denied

☐ Defendant shall be temporarily detained in the custody of the United States Marshal pursuant to ☐ § 3142(f) ☐ § 3142(d)

PSA recommends release; Gov't ☒ concurs ☐ objects

GOVERNMENT recommends _____

☐ Court accepts/rejects stip of pty's/recommendation by _____

Bail set at O/R with standard conditions to include no travel outside Arizona and North Carolina; maintain employment, no firearms.

☒ Defendant signed Order Setting Conditions of Release and released on O/R. Defendant advised of conditions on the record.

DETENTION HEARING: <input checked="" type="checkbox"/> Held <input type="checkbox"/> Cont'd Set for: before:	REMOVAL HEARING: <input type="checkbox"/> Held <input checked="" type="checkbox"/> Waived Set for: before:
Gov't's request for detention <input type="checkbox"/> Granted <input type="checkbox"/> Denied	<input type="checkbox"/> COMMITMENT TO ANOTHER DISTRICT ISSUED
<input type="checkbox"/> Defendant Ordered detained pending Removal Hearing <input type="checkbox"/> Gov't withdraws request to detain defendant	<input type="checkbox"/> ORDER BOND posted in this case be transferred to the U.S. District Court for the <u>WD NORTH CAROLINA</u> where this matter is pending

☒ Deft. signs written Waiver of Removal Hrg. The Magistrate Judge finds, on the basis of def't's written waiver of removal hrg and this Magistrate Judge's receipt of the original/certified copy of the warrant from the Western District of North Carolina that there is probable cause to believe that this defendant is the Armida Arragon Arroyos, named in the said warrant, and that there is probable cause to believe that an offense has been committed against the laws of the United States of America.

☐ IT IS ORDERED that the Marshal promptly remove defendant from the District of Arizona to the charging district.

OTHER: Mr. Nesbitt filed Notice of Appearance in open court.

Copies to: **E-FILED**
USA, CNSL, PSA, CRP

Recorded by Courtsmart

BY: Barb Wentz
Deputy Clerk

SCANNED

UNITED STATES DISTRICT COURT

DISTRICT OF

✓ F. D.	LODGED
RECEIVED	COPY
JUN 23 5	
ARIZONA	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
BY	

United States of America

V.

ARMIDA ARRAGON ARROYOS (2)

WAIVER OF RULE 5(c)(3) HEARINGS
(Excluding Probation Cases)

Case Number: 05-05136M

I, ARMIDA ARRAGON ARROYOS, understand that in the WESTERN DISTRICT District of NORTH CAROLINA, charges are pending alleging violation of 21:846; 21:841; 18:1956(h); CONS.TO POSS.; PWID; LAUNDERING OF MONETARY INSTRUMENTS and that I have been arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, FED. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N) :

- ☐ identity hearing
- ☐ preliminary examination
- ☒ identity hearing and have been informed I have no right to a preliminary examination
- ☐ identity hearing but request a preliminary examination to be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me. I further waive the presentment of the original or the certified copy of the Warrant from the WESTERN District of NORTH CAROLINA in the District of Arizona.

Armida Arragon Arroyos
Defendant

6/23/2005

[Signature]
Defense Counsel

13

U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CRIMINAL DOCKET FOR CASE #: 4:05-mj-05136-BPV-ALL
Internal Use Only

Case title: USA v. Fernandez et al
Other court case number: 1:05CR209-1 Western District Of North Carolina

Date Filed: 06/21/2005

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Raphael Arroyos Fernandez (1)
also known as
Raphael Fernando Fernandez (1)

represented by Edward C Nesbitt
Edward C Nesbitt
177 N Church Ave
Ste 200
Tucson, AZ 85701-1117
520-628-7777
Fax: 520-798-1980
Email: Charlesjn27@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

21:841; 21:846; Conspiracy to Possess with Intent to
Distribute Cocaine and Marijuana; 18:1956 Money
Laundering-Federal Statutes, Other

Disposition

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Armida Arragon Arroyos (2)

represented by Edward C Nesbitt
(See above for address)
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

21:841A=ND.F, 18:1956-7477.F, 21:841A=MD.F

Disposition

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Peujon Deslin Nazifi (3)
also known as
PJ (3)

represented by **Jeffrey James Rogers**
Hirsh & Rogers PLC
177 N Church Ave
Ste 700
Tucson, AZ 85701
(520)624-4700
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

21:841A=ND.F, 21:841A=MD.F, 18:1956-7477.F

Disposition

Assigned to: Magistrate Judge Bernardo P. Velasco

Defendant

Ahmad Nazifi (4)

represented by **David Edward Lipartito**
Law Office of David Lipartito PC
177 N Church Ave
700
Tucson, AZ 85701
(520)622-1944
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None














Complaints

21:841A=ND.F, 21:841A=MD.F, 18:1956-7477.F

Disposition**Plaintiff**

USA

represented by **Cynthia R Wood**
 US Attorney's Office
 405 W Congress St
 Ste 4800
 Tucson, AZ 85701-4050
 520-620-7300
 Fax: 520-620-7320
 Email: cynthia.wood@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/21/2005		Arrest (Rule 40) of Raphael Arroyos Fernandez (JKM,) (Entered: 07/20/2005)
06/21/2005		Arrest (Rule 40) of Armida Arragon Arroyos (JKM,) (Entered: 07/26/2005)
06/21/2005		Arrest (Rule 40) of Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005)
06/21/2005		Arrest (Rule 40) of Ahmad Nazifi (JKM,) (Entered: 07/26/2005)
06/21/2005	 1	Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Raphael Arroyos Fernandez set for 6/23/2005, Initial Appearance as to Raphael Arroyos Fernandez held on 6/21/2005 (Court Reporter CourtSmart.) (JKM,) (Entered: 07/26/2005)
06/21/2005	 2	NOTICE OF ATTORNEY APPEARANCE: Edward C Nesbitt appearing for Raphael Arroyos Fernandez (JKM,) (Entered: 07/26/2005)
06/21/2005	 3	Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Armida Arragon Arroyos set for on 6/23/2005, Initial Appearance as to Armida Arragon Arroyos held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/21/2005	 4	Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Peujon Deslin Nazifi set for 6/23/2005, Initial Appearance as to Peujon Deslin Nazifi held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/21/2005	 5	NOTICE OF ATTORNEY APPEARANCE: Jeffrey James Rogers appearing for Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005)
06/21/2005	 6	Minute Entry for proceedings held before Judge Bernardo P. Velasco :Detention Hearing as to Ahmad Nazifi set for 6/23/2005, Initial Appearance as to Ahmad Nazifi held on 6/21/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/23/2005	 7	Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Raphael Arroyos Fernandez held on 6/23/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/23/2005	 9	WAIVER of Rule 40 Hearings by Raphael Arroyos Fernandez (JKM,) (Entered: 07/26/2005)
06/23/2005	 10	Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Armida Arragon Arroyos held on 6/23/2005, Bond set as to Armida Arragon Arroyos (2) o/r Bond (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)

06/23/2005	11	ORDER Setting Conditions of Release as to Armida Arragon Arroyos (2) o/r Bond . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005)
06/23/2005	12	NOTICE OF ATTORNEY APPEARANCE: Edward C Nesbitt appearing for Armida Arragon Arroyos (Arizona hearings only) (JKM,) (Entered: 07/26/2005)
06/23/2005	13	WAIVER of Rule 40 Hearings by Armida Arragon Arroyos (JKM,) (Entered: 07/26/2005)
06/23/2005	14	Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Peujon Deslin Nazifi held on 6/23/2005, Bond set as to Peujon Deslin Nazifi (3) \$10,000/PAB (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/23/2005	15	ORDER Setting Conditions of Release as to Peujon Deslin Nazifi (3) \$10,000/PAB . Signed by Judge Bernardo P. Velasco on 6/23/05. (JKM,) (Entered: 07/26/2005)
06/23/2005	16	Minute Entry for proceedings held before Judge Bernardo P. Velasco :Bond Hearing as to Peujon Deslin Nazifi held on 6/23/2005 (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/23/2005	17	WAIVER of Rule 40 Hearings by Peujon Deslin Nazifi (JKM,) (Entered: 07/26/2005)
06/23/2005	18	Minute Entry for proceedings held before Judge Charles R. Pyle :Detention Hearing as to Ahmad Nazifi held on 6/23/2005, Bond set as to Ahmad Nazifi (4) o/r Bond (Court Reporter Courtsmart.) (JKM,) (Entered: 07/26/2005)
06/23/2005	19	ORDER Setting Conditions of Release as to Ahmad Nazifi (4) o/r Bond . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005)
06/23/2005	20	NOTICE OF ATTORNEY APPEARANCE: David Edward Lipartito appearing for Ahmad Nazifi (JKM,) (Entered: 07/26/2005)
06/23/2005	21	WAIVER of Rule 40 Hearings by Ahmad Nazifi (JKM,) (Entered: 07/26/2005)
06/23/2005	22	Commitment to Another District Issued: to District of WD NORTH CAROLINA as to Raphael Arroyos Fernandez. (JKM,) (Entered: 07/26/2005)
06/27/2005	8	ORDER OF DETENTION as to Raphael Arroyos Fernandez . Signed by Judge Charles R. Pyle on 6/23/05. (JKM,) (Entered: 07/26/2005)

I hereby attest and certify on 8/10/05
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my cus-
tody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

By [Signature] Deputy